

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ALBERTO R. GONZALEZ,	:	CIVIL ACTION NO. 1:19-CV-307
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
TYLER R. CLAYTON, BRIDGETTE	:	
M. WILSON, and WEST YORK	:	
BOROUGH, PA,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 22nd day of May, 2019, upon consideration of defendants' motion (Doc. 10) to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) filed April 23, 2019, and further upon consideration of plaintiff's amended complaint (Doc. 12) filed May 21, 2019, and the court observing that an amended pleading, unless it "specifically refers to or adopts the earlier pleading," supersedes the original as the operative pleading for the lawsuit, W. Run Student Hous. Assoc., LLC v. Huntington Nat'l Bank, 712 F.3d 165, 171 (3d Cir. 2013) (quoting New Rock Asset Partners, L.P. v. Preferred Entity Advancements, Inc., 101 F.3d 1492, 1504 (3d Cir. 1996)); see also 6 CHARLES ALAN WRIGHT ET AL., FEDERAL PRACTICE AND PROCEDURE § 1476 (3d ed. 2015), and the court thus finding that the amended complaint renders the original complaint a legal nullity, it is hereby ORDERED that:

1. Defendants' motion (Doc. 10) to dismiss the complaint (Doc. 1) is DISMISSED as moot and without prejudice.
2. Defendants shall respond to the amended complaint (Doc. 12) in accordance with the Federal Rules of Civil Procedure.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania